

# EXHIBIT 2

1                   **Recommendation for Revising the Clinician's Manual for the**  
 2                   **Retired NFL Football Players' Baseline Assessment Program:**  
 3                   **Using Age and Education Adjusted Normative Reference Values**  
 4                   **and Revised Cutoffs for Defining Low Scores**

5                   October 19, 2021  
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7       The Baseline Assessment Program (BAP) includes a battery of neuropsychological tests and  
 8       clinical rating instruments designed to provide a standardized evaluation of the cognitive  
 9       functioning of retired professional football players. Section 4 of the Baseline Neuropsychology  
 10      Test Battery and Specific Impairment Criteria for Retired NFL Football Players set forth in  
 11      Exhibit A-2 of the Settlement Agreement (the "Test Battery") references a "user manual" to be  
 12      provided to neuropsychologists setting out the cutoff scores, criteria for identifying impairment  
 13      in each cognitive domain, and statistical normative data to support the impairment criteria.  
 14      Consistent with general practices in the field of clinical neuropsychology, that user manual  
 15      suggested using fully-demographically adjusted T scores as the normative reference values for  
 16      interpreting the neuropsychological test scores. Fully demographically adjusted T scores  
 17      consider a person's age, sex, level of education, and race in a regression model for deriving a  
 18      normative score.

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 20                   **Instructions Given to the Working Group**  
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22       The working group was instructed by the legal parties to *remove race as a variable for*  
 23       *consideration when scoring or classifying test results from the neuropsychological evaluations*  
 24       of retired National Football League (NFL) players participating in the BAP.

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 26                   **Summary of Recommended Changes**  
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28       In order to remove race as a variable from scoring the neuropsychological tests, three changes to  
 29       the current system are recommended. First, discontinue the use of estimating longstanding  
 30       ("premorbid") functioning using the Test of Premorbid Functioning Simple and Complex  
 31       equations. Instead, estimate longstanding Reading Level only using the TOPF Reading Standard  
 32       Score. Second, discontinue the use of fully demographically adjusted normative reference values  
 33       and replace that system with normative reference values adjusted for age and education only  
 34       (when available, as described below). Third, raise the cutoff scores for defining low scores in a  
 35       modest manner across reading levels and cognitive domains.

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 37                   **Estimating Longstanding Reading Level**  
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39       The current methodology is to use either the Test of Premorbid Functioning (TOPF) Reading  
 40       Standard Score or the TOPF Reading score combined with "simple demographics" or "complex  
 41       demographics" to estimate longstanding ability. Both of the latter methods use race as one of  
 42       many variables in a regression model (e.g., the "simple" model includes region of the country,  
 43       sex, race, education, and occupation). The use of the regression models (i.e., "simple" or  
 44       "complex" demographics) for the TOPF will be discontinued. Instead, only the TOPF Reading

45 Standard Score will ordinarily be used.<sup>1</sup> There are many published studies, over many years,  
 46 supporting the use of a reading test for this purpose, including published studies illustrating the  
 47 usefulness of using a reading test in evaluations with Black older adult Americans. The reading  
 48 score is positively correlated with neuropsychological test performance in retired NFL players,  
 49 meaning that, on average, those scoring higher on the reading test obtain higher scores on other  
 50 neuropsychological tests, and those scoring considerably lower on the reading test, on average,  
 51 obtain lower scores on other neuropsychological tests. The term “premorbid” functioning will  
 52 not be used in the algorithms for defining impairment. Instead, the term “reading level” will be  
 53 used (i.e., Below Average Reading Level, Average Reading Level, and Above Average Reading  
 54 Level).

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## 56 Using Age- and Education-Adjusted Normative Scores

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58 For the subtests from the Wechsler Adult Intelligence Scale-Fourth Edition (WAIS-IV) and the  
 59 Wechsler Memory Scale-Fourth Edition (WMS-IV), use age- and education-adjusted T scores  
 60 instead of fully demographically adjusted T scores. The normative sample for the Expanded  
 61 Halstead-Reitan Neuropsychological Battery (E-HRNB) currently used for deriving normative  
 62 scores for the Trail Making Test (Parts A and B), Controlled Word Association Test (Letter  
 63 Fluency, F-A-S) and Category Fluency (Animal Naming), Boston Naming Test, and the Booklet  
 64 Category Test, will be discontinued for all tests except the BDAE Complex Ideation Test. For  
 65 the other tests, meta-norms from Mitrushina et al. (2005)<sup>2</sup> will be used.

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67 For one test in the BAP battery, the Boston Diagnostic Aphasia Exam Complex Ideational  
 68 Material subtest, the E-HRNB normative T scores can continue to be used. As indicated on page  
 69 20 (Table 4) of the professional manual, no Black adults were included in the normative sample  
 70 for that test, so the demographically adjusted T scores do not include race as a variable in  
 71 norming. Therefore, these norms are identical for both racial groups (and no suitable alternative  
 72 norms have been identified). This test is not included in the Mitrushina et al. (2005) handbook,  
 73 and meta-normative data for this test are not available. Therefore, the E-HRNB normative  
 74 reference values will be retained.

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<sup>1</sup> The TOPF Reading Standard Score should not be used for choosing an algorithm when the examiner has a strong indication from the patient's history, behavioral observations, and other language test results suggesting that an acquired language disorder or severe learning disability is present. Moreover, if English was learned as a second language in adulthood, the TOPF Reading Standard Score need not be relied upon for choosing an algorithm. If a clinician documents a person's reading score to be fundamentally inaccurate and not representative of his longstanding reading ability, that person could be classified as having “Average Reading Level” for the purpose of applying the algorithms below. Having poor reading skills, or a possible mild learning disability, is not a rationale for classifying a person in a higher reading level (i.e., from Below Average to Average Reading Level). However, a clinician can use clinical judgement in cases of severe language-based learning disability (i.e., severe dyslexia) to use the Average Reading Level algorithms.

<sup>2</sup> Mitrushina M, Boone KB, Razani J, D'Elia LF. Handbook of normative data for neuropsychological assessment. 2nd ed. New York, NY: Oxford University Press; 2005.

76                   **Specific Steps for Classifying Levels of Cognitive Impairment**

77                   The specific steps illustrating the recommended changes are set out below.

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- 80       1) Classification of reading level is determined based on the **TOPF Reading Standard Score**  
 81       using the 3 classifications below.
- 82       a) TOPF Standard Score < 90 = Below Average Reading Level.  
 83       b) TOPF Standard Score 90 - 109 = Average Reading Level.  
 84       c) TOPF Standard Score ≥ 110 = Above Average Reading Level.
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- 86       2) Use T-distribution scores (i.e., “T scores”), adjusted for age and education, to summarize  
 87       neuropsychological test performance. There are 3 tests for which the Mitrushina et al. meta-  
 88       norms adjust for age only, as described below.
- 89       a) Use age and education norms provided by the Advanced Clinical Solutions software  
 90       package for the WAIS-IV and WMS-IV tests included in the battery.
- 91       b) Use meta-norms from Mitrushina et al. (2005) that are based on age and education for the  
 92       other tests included in the battery with the exceptions listed below. Age and education  
 93       adjusted meta-norms are used for Trail Making Test, Part A, Trail Making Test, Part B,  
 94       and the Controlled Oral Word Association, Letter Fluency (F-A-S) test.
- 95       i) Mitrushina meta-norms are not available for the Boston Diagnostic Aphasia Exam  
 96       Complex Ideational Material subtest. The Expanded Halstead-Reitan  
 97       Neuropsychological Battery norms can continue to be used for this test. The  
 98       demographically adjusted T scores for this test do not include race as a variable in  
 99       norming.
- 100       ii) Mitrushina meta-norms for the Boston Naming Test, the Category Test, and the  
 101       Controlled Oral Word Association Category Fluency (Animal Naming) Test include  
 102       age, but not education adjustments, because education was not an important predictor  
 103       of test scores in the meta-regression equations—and thus the authors did not  
 104       recommend an education adjustment to the meta-norms.
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- 106       3) In the tables below, there are no changes to the structure of the performance classification  
 107       algorithms, as set out in the current Clinician’s Manual. The changes to the cutoffs for  
 108       defining low scores were informed by statistical analyses of data from retired players who  
 109       have undergone evaluations, knowledge of base rates of low scores among adults in  
 110       normative samples, and clinical judgement. Slight adjustments could occur if errors are found  
 111       as a result of the final verification process.
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- 113       4) The algorithms for classifying cognitive impairment within each cognitive domain,  
 114       stratified by reading level, are provided in Tables 1-3 below.
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116 **Table 1. Impairment Criteria: Below Average Reading Level**

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<b>Complex Attention and Processing Speed (6 test scores)</b>
1. Level 1 Impairment: 3 or more scores below a T score of 37
2. Level 1.5 Impairment: 4 or more scores below a T score of 37; or meet for Level 1 and 2 scores below a T score of 32
3. Level 2 Impairment: 3 or more scores below a T score of 32
<b>Learning and Memory (6 test scores)</b>
1. Level 1 Impairment: 3 or more scores below a T score of 37
2. Level 1.5 Impairment: 4 or more scores below a T score of 37; or meet for Level 1 and 2 scores below a T score of 32
3. Level 2 Impairment: 3 or more scores below a T score of 32
<b>Visual-Perceptual (3 test scores)</b>
1. Level 1 Impairment: 3 or more scores below a T score of 39
2. Level 1.5 Impairment: meet for Level 1 and 2 scores below a T score of 37
3. Level 2 Impairment: 3 or more scores below a T score of 37
<b>Language (3 test scores)</b>
1. Level 1 Impairment: 3 or more scores below a T score of 39
2. Level 1.5 Impairment: meet for Level 1 and 2 scores below a T score of 37
3. Level 2 Impairment: 3 or more scores below a T score of 37
<b>Executive Function (4 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 37
2. Level 1.5 Impairment: 3 or more scores below a T score of 37; or meet for Level 1 and 1 score below a T score of 32
3. Level 2 Impairment: 2 or more scores below a T score of 32

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120 **Table 2. Impairment Criteria: Average Reading Level**

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<b>Complex Attention and Processing Speed (6 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 38
2. Level 1.5 Impairment: 3 or more scores below a T score of 38; or meet for Level 1 and 1 score below a T score of 33
3. Level 2 Impairment: 2 or more scores below a T score of 33
<b>Learning and Memory (6 test scores)</b>
1. Level 1 Impairment: 3 or more scores below a T score of 38
2. Level 1.5 Impairment: 4 or more scores below a T score of 38; or meet for Level 1 and 1 score below a T score of 33
3. Level 2 Impairment: 2 or more scores below a T score of 33
<b>Visual-Perceptual (3 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 40
2. Level 1.5 Impairment: 3 or more scores below a T score of 40; or meet for Level 1 and 1 score below a T score of 38
3. Level 2 Impairment: 2 or more scores below a T score of 38
<b>Language (3 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 40
2. Level 1.5 Impairment: 3 or more scores below a T score of 40; or meet for Level 1 and 1 score below a T score of 38
3. Level 2 Impairment: 2 or more scores below a T score of 38
<b>Executive Function (4 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 38
2. Level 1.5 Impairment: 3 or more scores below a T score of 38; or meet for Level 1 and 1 score below a T score of 33
3. Level 2 Impairment: 2 or more scores below a T score of 33

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124 **Table 3. Impairment Criteria: Above Average Reading Level**

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<b>Complex Attention and Processing Speed (6 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 38
2. Level 1.5 Impairment: meet for Level 1 and 3 or more scores below a T score of 40
3. Level 2 Impairment: 3 or more scores below a T score of 38
<b>Learning and Memory (6 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 38
2. Level 1.5 Impairment: meet for Level 1 and 3 or more scores below a T score of 40
3. Level 2 Impairment: 3 or more scores below a T score of 38
<b>Visual-Perceptual (3 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 43
2. Level 1.5 Impairment: 3 scores below at T score of 43; or meet for Level 1 and 1 score below a T score of 40
3. Level 2 Impairment: 2 or more scores below a T score of 40
<b>Language (3 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 43
2. Level 1.5 Impairment: 3 scores below at T score of 43; or meet for Level 1 and 1 score below a T score of 40
3. Level 2 Impairment: 2 or more scores below a T score of 40
<b>Executive Function (4 test scores)</b>
1. Level 1 Impairment: 2 or more scores below a T score of 40
2. Level 1.5 Impairment: meet for Level 1 and 3 or more scores below a T score of 40; or meet for Level 1 and 1 score below a T score of 33
3. Level 2 Impairment: 2 or more scores below a T score of 33

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